

**ONEIDA COUNTY PLANNING & ZONING
MAY 17, 2006 – 2:30 P.M. PUBLIC HEARING MEETING
COMMITTEE ROOM #2
2ND. FLOOR, ONEIDA COUNTY COURTHOUSE**

Members present: Chairman Bob Metropulos
Larry Greschner
Ted Cushing
Frank Greb
Scott Holewinski

Department staff present: Karl Jennrich, Zoning Director
Steve Osterman, Planning Manager
Nadine Wilson, Land Use Specialist
Mary Bartelt, Typist III

Other Department staff
Present:

See Attached Guest List:

Call To Order:

Chairman Metropulos called the meeting to order at 2:30 p.m., in Committee Room 2 of the Oneida County Courthouse, Rhinelander, WI in accordance with the Wisconsin Open Meeting Law.

Discussion/decision to approve the agenda

MOTION: (Frank Greb/Scott Holewinski) to approve the May 17, 2006 Public Hearing agenda. All “aye” on voice vote. Motion carries.

Conditional Use Permit Application for Thomas Lynn for lawn and garden/light equipment dealership on property being described as part Gov’t Lot 1, Section 8, T39N, R6E, in the Town of Minocqua, PIN# MI 2135-5. General location being the SW corner of Hwy 70 and Camp Pinemere Rd.

Karl Jennrich, Zoning Director, read the Notice of Public Hearing into the record and offered proof of publication from the Rhinelander Daily News, published on May 2, 2006 and May 9, 2006 and the Lakeland Times the week of May 9, 2006. The Notice was posted on the Oneida County Courthouse Bulletin Board on April 28, 2006. Mr. Jennrich noted that the notice recipient list was part of the record and was available for review. The certified and first class mailing list was read into the record.

Mr. Jennrich read the following correspondence into the record:

1. Letter from the Town of Minocqua, dated 5/17/2006 – approval – subject to the option of screening the dumpster

Mr. Steve Osterman, Planning Manager, presented the Conditional Use Permit application information to the committee. The property is presently vacant property and located on Highway 70 west of Minocqua at the intersection of Camp Pinemere Road. EXHIBIT #1

Mr. Osterman read the General Standards to the committee and recommends approval with these conditions:

1. Nature and extent of the conditional use permit shall not change from that described herein.
2. Outside product display areas limited to the area depicted on the map (to be revised by applicant) Expanding the outside display areas will require additional approval
3. The fluids, batteries and parts to be recycled in an environmentally friendly manor.
4. No outside storage of scrap material of any type accept for those items placed inside the dumpster or within a screened area.
5. Testing of equipment outside limited to instances only where necessary. This should occur infrequently and should only last ten minutes long or less.
6. Rental or sale of automobile vehicles not permitted with this application.
7. Required to get State and Local licensing.
8. Signage must be within the Oneida County Planning and Zoning ordinance.
9. Town of Minocqua – concerns if any
10. Overflow of equipment to be stored in back (future storage)

Chairman Metropulos asked if anyone wished to speak for or against the Conditional Use Permit application.

Chairman Metropulos asked a second time if anyone wished to speak for or against the Conditional Use Permit application.

2:43 P.M. The public hearing was closed from any further public comment.

MOTION: (Ted Cushing/Scott Holewinski) to approve the conditional use permit application of Thomas Lynn, Item #3 on today's Public Hearing agenda, with concerns and conditions as outlined by staff to include the additional storage area (condition #10) with the understanding that this conditional use permit meets all the general standards on the CUP application. Roll Call Vote: Scott Holewinski "aye", Frank "aye", Ted Cushing "aye", Larry Greschner "aye", and Bob Metropulos "aye". Motion carries.

Conditional Use Permit Application for James Schuemelfeder for an auto repair business on property located at 9760 Ray Place and being further described as Lot 50, Plat of Lakeland Heights, in Section 10, T39N, R6E, in the Town of Minocqua, PIN# MI 4622.

Karl Jennrich, Zoning Director, read the Notice of Public Hearing into the record and offered proof of publication from the Rhinelander Daily News, published on May 2, 2006 and May 9, 2006 and the Lakeland Times the week of May 9, 2006. The Notice was posted on the Oneida County Courthouse Bulletin Board on April 28, 2006. Mr. Jennrich

noted that the notice recipient list was part of the record and was available for review. The certified and first class mailing list was read into the record.

Mr. Jennrich read the following correspondence into the record:

1. Letter of approval, Town of Minocqua, dated May 17, 2006

Nadine Wilson, Land Use Specialist, presented the conditional use permit application to the committee. EXHIBIT #2

Ms. Wilson states that if the committee finds that the General Standards for Approval of the CUP have been met that staff recommends approval of this application and staff would suggest the following conditions be placed on the CUP.

1. The nature and extent of the conditional use shall not change from that described in the application and approved in the Conditional Use Permit.
2. Any hazardous materials/chemicals shall be used, stored and/or disposed of in accordance with State and Federal regulations. The outside storage area of waste oil, antifreeze, etc. to be screened from view.
3. No outside storage of salvage vehicles, parts and tires permitted with this permit approval.
4. Inoperative vehicles cannot be stored on the premises for longer than 30 days
5. Vegetative buffer to remain in place and be maintained along South and West property lines, this would include the Northwest corner as asked by the Town of Minocqua.
6. Outdoor lighting to be directed downward and shielded from above. Care should be taken to prevent light pollution
7. Floor drains in garage area must be code complaint. This may require hookup to a holding tank for hazardous materials
8. All state and local licensing to be obtained prior to operation
9. Signage in accordance with the Oneida County Zoning and Shoreland Protection
10. No parking on Ray's Place, a town road
11. Parking layout submitted and reviewed/approved by this department to accommodate 7 outside vehicles on lot.
12. Town of Minocqua concerns.

Chairman Metropulos asked if anyone wished to speak for or against the Conditional Use Permit application.

Chairman Metropulos asked a second time if anyone wished to speak for or against the Conditional Use Permit application.

2:57 P.M. The public hearing was closed from any further public comment.

MOTION: (Scott Holewinski/Ted Cushing) to approve the Conditional Use application of James Schuemelfelder, Item #4 on today's agenda with staff concerns and that the General Standards of Approval for the CUP have been met.

Roll Call Vote: Frank Greb “aye”, Holewinski “aye”, Greschner “aye” Cushing “aye” Metropulos “aye”. Motion carries.

Conditional Use Permit Application for Richard Schroeter for addition to existing bakery and seating area on property located at 8694 Hwy 47 and being further described as Section 2, T39N, R6E, Lot 1, Block 1, Village of Woodruff, PIN# WR 459, in the Town of Woodruff.

Karl Jennrich, Zoning Director, read the Notice of Public Hearing into the record and offered proof of publication from the Rhinelander Daily News, published on May 2, 2006 and May 9, 2006 and the Lakeland Times the week of May 9, 2006. The Notice was posted on the Oneida County Courthouse Bulletin Board on April 28, 2006. Mr. Jennrich noted that the notice recipient list was part of the record and was available for review. The certified and first class mailing list was read into the record.

Mr. Jennrich read the following correspondence into the record:

1. Letter of approval from the Town of Woodruff dated Wed. May 10, 2006.

Steve Osterman, Planning Manager, presented the conditional use permit application for Richard Schroeter to the committee. EXHIBIT #3

If the Committee finds the standards have been met, and recommends approval of this application, staff would suggest the following conditions be place on the CUP.

1. The nature and extent of the conditional use shall not change from that described in the application and approved in the Conditional Use Permit.
2. All state and local licensing to be obtained prior to operation
3. Building expansion & any proposed signage place in accordance with the Oneida County Zoning and Shoreland Protection Ordinance.
4. Outside displays are not authorized with this permit.
5. Must resolve with D.O.T. involving proposed driveway location & storm sewer issues.
6. Outside seating area-fencing in place at all times – no live music – not to be used as a beer garden.
7. Exterior lighting concerns

Chairman Metropulos asked if anyone wished to speak for or against the Conditional Use Permit application.

Mr. Bob Winot, Department of Transportation, “If they (Mr. Schroeter) plans on draining any water into the storm sewer system calculations should be measured.” This is only for rain runoff. Mr. Weinot stated that all he could find was a catch basin on the corner and does not know if this is referred to in the layout by Northwood’s Technical Services. “I’m assuming that that is what it is.”

Mr. Jennrich, “Yes.”

Mr. Winot, “We would have to go back prior to 1992 in order to find out when that storm sewer was actually installed and what is there.”

Chairman Metropulos asked if anyone wished to speak for or against the Conditional Use Permit application.

Chairman Metropulos asked a second time if anyone wished to speak for or against the Conditional Use Permit application.

3:07 P.M. The public hearing was closed from any further public comment.

Scott Holewinski, "What happens if there is more stormwater runoff then what they can handle?" "So prior to issuing the conditional use, that will be cleared up so he (Mr. Schroeter) doesn't start the project and then find out that he can't run a storm sewer off, so there's not an approval, construction has started and we then find out that we don't have enough stormwater sewer runoff."

Mr. Osterman, "That's the next step, absolutely."

MOTION: (Ted Cushing/Larry Greschner) to approve the Conditional Use Permit application for Richard K. Schroeter, Item #5 on today's agenda, with the understanding that all conditions as outlined by staff including monitoring of the amount of stormwater runoff to comply with D.O.T. standards and with the understanding that it has met the general standards of Oneida County for this conditional use permit. Roll Call Vote: Frank Greb "aye", Holewinski "aye", Greschner "aye" Cushing "aye" Metropulos "aye". Motion carries.

Conditional Use Permit Application for William & Cynthia Sisson for drive-thru/walk-up hot dog stand trailer on property described as Lot 1, Block 18, Village of Woodruff in Section 2, T39N, R6E, in the Town of Woodruff, PIN# WR 636. General location being Hwy 51 and 3rd Avenue.

Karl Jennrich, Zoning Director, read the Notice of Public Hearing into the record and offered proof of publication from the Rhinelander Daily News, published on May 2, 2006 and May 9, 2006 and the Lakeland Times the week of May 9, 2006. The Notice was posted on the Oneida County Courthouse Bulletin Board on April 28, 2006. Mr. Jennrich noted that the notice recipient list was part of the record and was available for review. The certified and first class mailing list was read into the record.

Mr. Jennrich read the following correspondence into the record:

1. Letter dated May 10, 2006, Town of Woodruff – Unanimous decision that the Town approve the CUP contingent upon approval by the Oneida County Planning and Zoning to require ingress and egress from Third Avenue, Highway 51 location/Oak Street only. Not the Highway 51/Swansons Street location and to contact the Department of Transportation for an onsite inspection to determine the best location for ingress and egress from Third Avenue on to the property owned by William & Cynthia Sisson.

Mr. Steve Osterman, Planning Manager, presented the conditional use permit application information to the committee. EXHIBIT #4

Mr. Osterman, "One recent development is that the landowners, the Sisson's, have formally requested that the Town of Woodruff to vacate or abandon Swanson Street, which has never been improved." "Third Avenue has stop and go lights and is a main road through the Town of Woodruff." "If the road is vacated ½ of road width (25') would then be deeded to each abutting landowner including the Sisson's." "If that were to occur an additional 41000 sq. feet of land could be added to the lot, with the county recommendation that this land be attached to and made a part of the existing lot – not to be conveyed separately." "Safety, traffic flow and parking remain a concern." "If Swanson Street were vacated the Sisson's might not own it."

Mr. Osterman, "The one concern that I have is if Swanson Street is vacated, I'm just not sure if the Sisson's would get half of the lot or not." "The plan would have to show that the land is on all of Lot 1, Block 18, ingress/egress parking trailer for us to recommend approval-----."

Mr. Scott Holewinski, "If Swanson Street was not vacated, would people be allowed to turn and off of the road?"

Mr. & Mrs. Sisson asked for Swanson Street to be vacated in hopes to pick up that portion of property to add to their lot. The lot in the front is 52' and the trailer is only 24', so to go around it should be plenty of room (ten feet on each side). This is a bit tight. If Swanson Street were not vacated the Sisson's could still operate their business. There will be a walk-up window as the committee had concerns that the turnaround would be too tight for anyone driving a trailer or pulling a trailer or boat.

Mr. Larry Greschner, "The Town of Woodruff suggested that the Sisson's make arrangements with the owner of the vacant lot for parking for vehicles with boats, trailers, etc."

Right now Swanson Street is a one-way road from Highway 51 east to Oak Street.

Mr. Steve Osterman, "When this was approved in 2004, the Planning & Zoning Department stated that any entrance southbound had to be at least as far off Highway 51, 80 or 90'."

More discussion and observation of the map of the property took place.

Mr. Greschner, "What the Town of Woodruff is looking for is if Swanson Street becomes vacated, the town would prefer Swanson Street not be uses off of Highway 51 for any purpose, because it is so close to Third Avenue." "All property owners have signed a petition to vacate Swanson Street." "Swanson Street then would become a private road and the Sisson's agreed to give permanent easement to the other property owners."

Scott Holewinski, "Wouldn't it have been better to leave Swanson Street as a town road and just have them come around with no access on to Highway 51?"

Mr. Bob Winot, "The comment I have is that I talked to the access coordinator and the DOT would prefer that Swanson Street be closed off entirely towards Highway 51." "The other thing is that we (DOT) stipulated that the driveway off of Third Avenue be as far back as where the entrance is for Redman's Dry Cleaner." "If Swanson Street was not

closed off, the DOT would say that it be a right in only, which is what it is now.” (Southbound traffic)

Scott Holewinski, “Wouldn’t the Sisson’s be better off to hold the petition and then the Town of Woodruff close off the road on to Highway 51, leave it as a one way and the Sisson’s would make their property more functional?”

Mr. Greschner, “Yes.”

The Sisson’s agree.

Mr. Winot, “I do think the Sisson’s should find out what happens to Swanson Street if it is vacated.” “What usually happens when you vacate a street the property goes back to the party who dedicated this street and there are three divisions involved with Swanson Street.” “Not only, the Plat of Woodruff, but Dellars Plat and also Trasients, which actually dedicated Swanson Street.” “Then does it go half and half to the adjoining properties, or does it go all on one side?”

Mr. Larry Greschner, “Depending on the motion here today, it would not go one way or the other.” “The petition could be pulled depending on the motion.”

Mr. Winot, “We (DOT) request that the access off of Highway 51 on to Swanson Street be closed, whether it is vacated or not.”

Adam Redman, “My father is a doctor, Kirby Redman, owner of the property at the Northeast corner of Third Avenue and Highway 51.” “Neither for or against this operation, but would like to voice our concern of traffic congestion on Third Avenue.” “An average of about 50 to 60 cars in and out of the drive under to the clinic, ingress and egress, a day.” “A lot of elderly patients coming and leaving the clinic as well is a future concern.” Mr. Redman is concerned with the 55-gallon garbage reciprocal.

The Sisson’s will put the 55-gallon garbage reciprocal in back behind the trailer.

Chairman Metropulos asked if anyone wished to speak for or against the Conditional Use Permit application.

Chairman Metropulos asked a second time if anyone wished to speak for or against the Conditional Use Permit application.

3:37 P.M. The public hearing was closed from any further public comment.

Per Bob Winot, DNR, no driveway application permit is required.

Mr. Osterman reads the conditions:

1. The Nature and extent of the conditional use permit shall not change from that described herein.
2. All State and Local licensing must be obtained prior to operation
3. Signage place in accordance with the zoning and protection ordinance
4. Outside displays are not authorized with this permit

5. The stormwater must be controlled onsite
6. The vision triangle at the corner of Highway 51 and Third Avenue must remain open, nothing places to obstruct motorists view
7. The Town of Woodruff concern – no access permitted directly from Highway 51 or Swanson Street. Access will be limited to just Third Avenue subject to Wisconsin Department of Transportation as well
8. One-way eastbound on to Swanson Street from Highway 51 northbound
9. Monitoring of traffic, ingress, egress and if complaints are large the conditional use permit would be revisited
10. No left turns from Swanson Street on to Third Avenue if Swanson Street is not vacated.

MOTION: (Frank Greb/Scott Holewinski) to grant the Conditional Use Permit application for William & Cynthia Sisson, Item #6 on today's Public Hearing agenda with staff concerns and with the following conditions: the entrance may be made East or West on to the property off of 3rd. Street, that at the West end of Swanson Street, Highway 51 be closed, no left turn be permitted from Swanson Street on to 3rd. Street, Mr. and Mrs. Sisson remove their petition to vacate Swanson Street and additional parking on the right-a-way to be discussed with the Town of Woodruff and that the General Standards of the CUP have been met. Roll Call Vote: Frank Greb "aye", Holewinski "aye", Greschner "aye" Cushing "aye" Metropulos "aye". Motion carries.

Conditional Use Permit Application for the Town of Woodruff to construct new municipal facilities consisting of a new town office building and a new fire department building on property described as Lot 1 of V14 of CSM, being part of the NE SW, Section 1, T39N, R6E, in the Town of Woodruff, PIN#'s WR 4-1, WR 4-4, WR 4-5 and part of WR 1. General location being approximately ¼ mile east of Old "51" Rd on the north side of Hwy 47.

Karl Jennrich, Zoning Director, read the Notice of Public Hearing into the record and offered proof of publication from the Rhinelander Daily News, published on May 2, 2006 and May 9, 2006 and the Lakeland Times the week of May 9, 2006. The Notice was posted on the Oneida County Courthouse Bulletin Board on April 28, 2006. Mr. Jennrich noted that the notice recipient list was part of the record and was available for review. The certified and first class mailing list was read into the record.

MOTION: (Larry Greschner/Frank Greb) to withdraw the CUP application for the Town of Woodruff and forego the Public Hearing at this point in time.

Mr. Jennrich asks Mr. Greschner if he wishes to table it.

Mr. Greschner, "No."

Roll Call Vote: Frank Greb "aye", Holewinski "aye", Greschner "aye" Cushing "aye" Metropulos "aye". Motion carries.

Adjourn

3:47 P.M. There being no further matters to lawfully come before the Committee; a motion was made by Scott Holewinski second by Ted Cushing to adjourn the meeting. All ayes on voice vote.

Chairman Bob Metropulos

Karl Jennrich, Zoning Director